UNITED STATES DISTRICT COURT DISTRICT OF MASSACHUSETTS

C.A. NO. 05-10944-RGS

THOMAS GLEASON)
vs.)
SALLY A. GLEASON, ET AL)

ASSENTED TO MOTION TO WITHDRAW MOTION FOR DEFAULT

NOW COMES Thomas Gleason and moves to withdraw the Motion for Default against Defendant, Fidelity Investments.

WHEREFORE, the undersigned requests this Honorable Court to permit him to withdraw the Motion for Default filed against Fidelity Investments.

DATED: 10-6-05

Respectfully submitted, THOMAS GLEASON By his attorney,

Stuart M. Holber, Esq.
Phillips, Gerstein, Holber & Channen, LLP
25 Kenoza Avenue
Haverhill, MA 01830
(978) 374-1131

/s/ John McCarthy, Esq.
John McCarthy, Esq.
Sanzone & McCarthy, LLP
888 Worcester Street, Ste. 110
Wellesley, MA 02482
(781) 239-9989
Attorney for Fidelity Investments

CERTIFICATE OF SERVICE

I, Stuart M. Holber, Esq., do hereby certify that a copy of the foregoing document has been sent via first class mail postage prepaid, to the following list:

Dated 10-6-05

Stuart M. Holber, Esq.

Mark Taylor, Esq. Northeast Rehabilitation Hospital 70 Butler Street Salem, NH 03079

Martha E. Howe, Esq. Law Office of Richard P. Howe 11 Kearney Square Lowell, MA 01852 Attorney for Highmark Life Insurance Company

James F. Kavanaugh, Jr., Esq.
Johanna L Matloff, Esq.
Conn, Kavanaugh, Rosenthal, Peisch & Ford, LLP
Ten Post Office Square
Boston, MA 02109
Attorneys for Metropolitan Life Insurance Company

Merrimack Valley Federal Credit Union Attn: Legal Department 1475 Osgood Street No. Andover, MA 01845

John McCarthy, Esq.
Sanzone & McCarthy, LLP
888 Worcester Street, Ste. 110
Wellesley, MA 02482
Attorney for Fidelity Investments

Kevin Rembis 5 Kayla Avenue Salem, NH 03079